

## **REMARKS**

### **A. Response To Restriction**

Claims 1-163 are pending in the application. The Official Action provides that “[r]estriction to one of the following inventions is required under 35 U.S.C. § 121:

- I. Claims 1-16, 24-31, and 53-60, drawn to a joist end bearing, classified in class 52, subclass 92.1.
- II. Claims 17, 42-52, 61-68, 93-109, and 112-125, drawn to a bearing wall and floor connection, classified in class 52, subclass 293.1.
- III. Claims 18-23, 35-41, 110-111, and 126-127, drawn to a method of constructing a bearing wall and floor structure, classified in class 52, subclass 745.05.
- IV. Claims 69-73, drawn to a multi-story connection, classified in class 52, subclass 79.2.
- V. Claims 74 -90, drawn to a joist rim, classified in class 52, subclass 409.
- VI. Claims 91, 92, drawn to a combination joist rim and wall header, classified in class 52, subclass 408.
- VII. Claims 128-142, drawn to a header, classified in class 52, subclass 204.1.
- VIII. Claims 143-163, drawn to a method for constructing a wall structure, classified in class 52, subclass 741.13.

Responsive to this restriction requirement, and without admitting or acquiescing to any of the statements made in the Official Action, Applicant hereby elects Invention III, claims 18-23, 35-41, 110-111, and 126-127. Applicant understands that upon allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim.

Applicant expressly reserves the right to pursue patent protection for the subject matters of the non-elected claims that are ultimately deemed withdrawn in divisional application(s). Applicant’s election made herein should not be taken as a disclaimer or abandonment of subject

*Application Serial No. 10/823,449  
Response dated November 15, 2007  
Reply to Official Action of October 18, 2007*

matter.

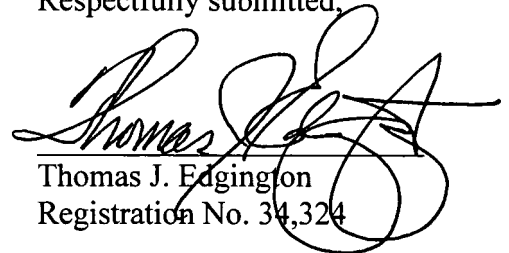
**B. Status of Related Applications**

Applicant also owns U.S. Patent Application Serial No. 11/019,143, filed December 21, 2004, U.S. Publication No. US-2006-0016139-A1. No Action on the merits has been issued in connection with this application.

**C. Conclusion**

Examination of the elected claims and passage to allowance thereof at an early date are earnestly solicited. However, if the Examiner has any remaining concerns regarding Applicant's present Response, the Examiner is invited to contact the Applicant's undersigned attorney at the telephone number listed below so that those concerns may be expeditiously addressed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas J. Edgington", is written over a horizontal line. Below the line, the text "Thomas J. Edgington" and "Registration No. 34,324" is printed.

Attorney for Applicant

Kirkpatrick & Lockhart Preston Gates Ellis LLP  
Henry W. Oliver Building  
535 Smithfield Street  
Pittsburgh, Pennsylvania 15222  
(412) 355-8303